

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**FILED**

MAY 19 2015

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Case Number: 14-cr-00306-WHA-1

Case Name: USA v. Luke D. Brugnara

NOTE FROM THE JURY

Note number: 1

Date: 5/13/15

Time: 8:25

1. The Jury has reached a unanimous verdict ☐

Or

2. The Jury has the following question:

*Electronic exhibits are not on the computer.*

*MAY 13, 2015*

*[Signature]*

Presiding Juror or Foreperson

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT of CALIFORNIA

Case Number: 14-cr-00306-WHA-1

Case Name: USA v. Luke D. Brugnara

NOTE FROM THE JURY

Note number: 1

Date: 5/13/15

Time: 8:25

1. The Jury has reached a unanimous verdict ☐

Or

2. The Jury has the following question:

Electronic exhibits are not on the computer.

To the jury:

The electronic computer-readable exhibits are on CD disks but the paper exhibits are not on CDs and can only be viewed manually. Transcripts of witnesses are not exhibits ~~and~~ but are available to you now only via your memory or if you request via readbacks in open court.

MAY 13, 2015

WHA:lwj

5-13-15

*Carol M. Hillman*

Presiding Juror or Foreperson

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT of CALIFORNIA

Case Number: 14-cr-00306-WHA-1

Case Name: USA v. Luke D. Brugnara

NOTE FROM THE JURY

Note number: 2

Date: MAY 14, 2015

Time: 10:40 AM

1. The Jury has reached a unanimous verdict ☐

Or

2. The Jury has the following question:

IN RELATION TO JURY INSTRUCTION ON PAGE 10,  
PARAGRAPH 30, LINES 22-23: "IT DOES NOT MATTER  
WHETHER THE ALLEGED SCHEME COVERED AN ENTIRE  
COURSE OF DEALING OR ONLY PART OF IT SO LONG AS ALL  
FOUR ELEMENTS ARE PROVEN", DOES THE EVIDENCE  
NEED TO PROVE THAT THE DEFENDANT HAD A PLAN TO  
DEFRAUD AT THE EXACT MOMENT THAT THE EMAIL IN  
COUNT #1 (EXHIBIT 59) WAS WRITTEN, OR CAN SUBSEQUENT  
EVENTS HELP INFORM OUR UNDERSTANDING OF HIS  
INTENT?

David M. Allman

Presiding Juror or Foreperson

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT of CALIFORNIA

Case Number: 14-cr-00306-WHA-1

Case Name: USA v. Luke D. Brugnara

NOTE FROM THE JURY

Note number: 3

Date: MAY 14, 2015

Time: 11:55 AM

1. The Jury has reached a unanimous verdict ☐

Or

2. The Jury has the following question:

ON PAGE 13, PARAGRAPH 38, ELEMENT FOURTH,  
DOES THE INSTRUCTION APPLY TO THE CURRENT  
MATTER THE JURY IS ~~BE~~ CONSIDERING OR  
THE JUNE 17, 2014 HEARING. IF IT IS  
THE JUNE 17, 2014 HEARING, WHAT WAS  
THE CONTEXT OF THAT HEARING?

David M. Hellman

Presiding Juror or Foreperson

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT of CALIFORNIA

Case Number: 14-cr-00306-WHA-1

Case Name: USA v. Luke D. Brugnara

NOTE FROM THE JURY

Note number: 4

Date: MAY 15, 2015

Time: 11:35 AM

1. The Jury has reached a unanimous verdict ☐

Or

2. The Jury has the following questions:

- A. RELATED TO JURY INSTRUCTION PARAGRAPH 38, ELEMENT FOURTH, LINES 9 AND 10 ON PAGE 13:  
WHAT DOES "IT HAD A NATURAL TENDANCY TO INFLUENCE," OR WAS CAPABLE OF INFLUENCING, THE COURT "FOR EXAMPLE, (1) ALTER THE DECISION OF THE JUNE 2014 HEARING; (2) AFFECTS THE COURT'S UNDERSTANDING, REGARDLESS OF THE OUTCOME OR DECISION IN THE JUNE 2014 HEARING; OR (3) SOMETHING ELSE?"
- B. RELATED TO JURY INSTRUCTION PARAGRAPH 38, ALL ELEMENTS ON LINES 6 THROUGH 10 ON PAGE 13:  
HYPOTHETICALLY IF THE JURY FINDS THE FIRST THREE ELEMENTS TO BE TRUE, FOR THE FOURTH ELEMENT, DOES THE PURPOSE OF JUNE 2014 HEARING MATTER?

David M. Selman  
Presiding Juror or Foreperson

NOTES #5 MAY 15, 2015

David M. Hillman  
FOREPERSON

David,

Please send a note to Judge Alsop stating that:

A juror has pointed out that another juror has repeatedly brought up his experience as a prisoner.

The 2<sup>nd</sup> juror also claims he was tortured during his imprisonment.

The claims often come up during the 2<sup>nd</sup> juror's impassioned arguments for acquittal.

The 2<sup>nd</sup> juror did not raise his hand in court when the prospective jurors were asked if they had ever been arrested.

The 1<sup>st</sup> juror brought this up in the jury room, which led to the 2<sup>nd</sup> juror running from the room in an agitated state.

Please inform the judge today.

Thanks, Paul

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT of CALIFORNIA

Case Number: 14-cr-00306-WHA-1

Case Name: USA v. Luke D. Brugnara

NOTE FROM THE JURY

Note number: 6

Date: MAY 19, 2015

Time: 10:35 AM

1. The Jury has reached a unanimous verdict ☒

Or

2. The Jury has the following question:



Presiding Juror or Foreperson